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Gp 3629

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lalitha Vaidyanathan; Confirmation No. 7527
John Quinn; Ahmed
Khaishgi; Cara Cherry
Serial No.: 09/504,159
Filed: February 15, 2000 Customer No.: 28863
Examiner: Naresh Vig
Group Art Unit: 3629
Docket No.: 1018-001US01
Title: ELECTRONIC DISPUTE RESOLUTION SYSTEM

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GROUP 3600

DECLARATION OF ETHAN KATSH UNDER 37 C.F.R. 1.132

I, Ethan Katsh, being duly sworn, state as follows:

1. I am a professor at the Department of Legal Studies and Co-Director of the Center for Information Technology and Dispute Resolution, University of Massachusetts, Amherst.
2. I am aware that, more than one year prior to the effective filing date of the above-referenced patent application, I was involved in a pilot dispute resolution project at the University of Massachusetts.
3. In December 1998, I was approached by one of the founders of Up4Sale (www.up4sale.com), an online auction site that had been purchased a few months earlier by eBay.
4. For a period of about a month in early 1999, the Up4Sale website included a hyperlink to electronic mail (email) address to which parties could submit a description of a dispute.

5. The email was received by a mediator who assisted in resolving the dispute by communicating with parties via email.

6. All mediation was handled manually via the mediator. There was no accompanying system that automated any part of the process.

7. No fees were collected nor requested for the services.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

9/26/2003

By:

Ethan Katsh